



Entered on Docket
May 13, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund, LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR¹
Case No. BK-S-06-10729-LBR²

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SECOND
OMNIBUS OBJECTION OF USACM
TRUST TO PROOFS OF CLAIM
BASED, IN WHOLE OR IN PART,
UPON INVESTMENT IN THE
WASCO INVESTMENTS, LLC
LOAN**

Hearing Date: May 8, 2008
Hearing Time: 10:30 a.m.

¹ This bankruptcy case was closed on October 12, 2007.

² This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Second Omnibus
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon
3 Investment in the Wasco Investments, LLC Loan (the "Objection") [DE 6123]. Adequate
4 notice of the Objection was given. The Court heard the Objection on May 8, 2008. No
5 responses were filed to the Objection and no opposition was raised at the hearing. Good
6 cause appearing,

7 IT IS ORDERED:

- 8 • Sustaining the Objection;
- 9 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they
10 are based upon an investment in the Wasco Investments, LLC Loan. The Proofs
11 of Claim listed in Exhibit A are not affected by this order to the extent they are
12 based upon an investment in a loan(s) other than the Wasco Investments, LLC
13 Loan; and
- 14 • Reserving the right of any party in interest, including the USACM Trust, to
15 further object to the Proofs of Claim listed on Exhibit A attached.

16 ###

17 PREPARED AND SUBMITTED:

18 **LEWIS AND ROCA LLP**

19 By: /s/ RC (#0006593)

20 Susan M. Freeman

21 Rob Charles

22 John Hinderaker

23 *Attorneys for USACM Liquidating Trust*

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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of approval under LR 9021.
- ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.
- ☒ No opposition was filed to the motion and no other party or counsel appeared at the hearing.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing, and any trustee appointed in the case, and each has approved or disapproved the order, or failed to respond, as indicated below:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)

Susan M. Freeman

Rob Charles

John Hinderaker

Attorneys for USACM Liquidating Trust

**WASCO INVESTMENTS
SECOND OMNIBUS OBJECTION**

**EXHIBIT A
Multiple Loan Claims**

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Wasco Investments Loan
10725-01274	Herman and Brian M. and Anthony G. Adams	1341 Cashman Drive Las Vegas, NV 89102	\$2,088,250.00	\$350,000.00
10725-02128	Burgarello Inc. Profit Sharing Plan	c/o Ronald A. Johnson Trustee 50 Snider Way Sparks, NV 89431-6308	\$202,800.00	\$50,000.00
10725-02263	Burgarello Inc. Profit Sharing Plan	Ronald A. Johnson Trustee 50 Snider Way Sparks, NV 89431-6308	\$202,800.00	\$50,000.00
10725-01471	Alan G. and Patty J. Dondero 1992 Revocable Trust	Alan and Patty Dondero Trustees 1930 Village Center Circle, 3-273 Las Vegas, NV 89134	\$130,800.00	\$70,000.00
10725-00718	Jack Faradjollah	10851 Furlong Drive Santa Ana, CA 92705	\$79,003.38	\$50,000.00
10725-01925	Nancy R. Gilmour IRA	c/o First Savings Bank Custodian P.O. Box 1241 Camano Island, WA 98292-1241	\$203,004.11	\$50,000.00
10725-02380	Nancy R. Gilmour IRA	First Savings Bank Custodian For P.O. Box 1241 Camano Island, WA 98292-1241	\$203,004.11	\$50,000.00
10725-02058	Suze Harrington	2131 Connor Park Cove Salt Lake City, UT 84109-2468	\$304,534.25	\$50,000.00
10725-02003	Harrison Family Trust Dated 7/27/99	Thomas B. and Marguerite F. Harrison Ttees 930 Dorcey Drive Incline Village, NV 89451	\$307,175.18	\$85,000.00
10725-02125	Marilyn Johnson Living Trust Dated 10/5/99	Marilyn Johnson Trustee 1010 La Rue Avenue Reno, NV 89509	\$101,400.00	\$50,000.00